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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

LIU, MING HUN

ART UNIT

PAPER NUMBER

2697

DATE MAILED: 09/12/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/991,918

Applicant(s)

BROUSSARD, JESSICA

Examiner

Ming-Hun Liu

Art Unit

2697

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3, 5-7, 9, 11-13, 15-16, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,634,622 to Pye.

In reference to claim 1, Pye discloses a display device stand comprising a case adapted to rest on a substantially flat surface (column 1, lines 61-62), where the display screen apparatus tilts and swivels (column 5, line 59 and line 67) with respect to the base a tilt drive that electronically controls a tilt position of the display screen apparatus (column 5, lines 55-59), a swivel drive that electronically controls a swivel position of the display screen apparatus (column 5, lines 60-67) and a user interface that is capable of receiving user inputs and controlling the tilt drive and the swivel drive in response (column 6, lines 26-28). Pye does not explicitly state that the stand can be used for a computer displays; however it is well known in the art that the CRT televisions and CRT computer monitors are similar objects. Oftentimes televisions are used as a low-resolution computer displays. It would have been obvious to incorporate the stand with a computer monitor because just like the television, users of the computer require versatile viewing angles to the monitor and integrating the swivel/tilt base with it would allow demands.

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In reference to claim 3, Pye discloses wherein a user interface that comprises one or more manual display orientation input devices (column 6, lines 27-29).

In reference to claim 5, Pye teaches that a user interface comprising a controller and a receiver capable of receiving orientation input commands (column 6, lines 15-18).

In reference to claim 6, Pye also teaches a user interface comprising a controller, a wireless receiver capable of wirelessly receiving orientation input commands and an associated wireless remote control including one or more manual input devices (column 6, lines 15-28).

Claim 7 is rejected on the grounds outlined in the rejection of claim 1.

Claim 9 is rejected on the grounds outlined in the rejection of claim 3.

Claim 11 is rejected on the grounds outlined in the rejection of claim 5.

Claim 12 is rejected on the grounds outlined in the rejection of claim 6.

Claim 13 is rejected on the grounds outlined in the rejection of claim 1.

Referring to claim 14, Pye teaches that computer display is power-adjustable (column 5, line 67 – column 6 line 2).

Claim 15 is rejected on the grounds outlined in the rejection of claim 6.

Claim 16 is rejected on the grounds outlined in the rejection of claim 3.

Claim 19 is rejected on the grounds outlined in the rejection of claim 5.

Claim 20 is rejected on the grounds outlined in the rejection of claim 6.

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3. Claims 2, 8 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Pye and the applicants admitted prior art.

The applicant states on page 2, paragraph 4, that it is well known in the art that displays with a user interface that comprises one or more manual display characteristic input devices. It would have been obvious to one skilled in the art to add manual display characteristic input devices to a display because this extremely conventional feature offers users the ability to adjust display characteristics to his/her liking.

Claims 8 and 17 are rejected on the grounds outlined in the rejection of claims 2.

4. Claims 4, 10 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Pye and US Patent Number 5,946,403 to Josephson et al.

Pye describes a mechanically powered adjustable display device, but he never teaches a controller and a voice recognition module. Josephson, on the other hand, teaches a display with a controller and a voice recognition module that converts received speech into electronic user inputs (item 45 and column 9, lines 60-62). Furthermore, voice recognition input methods are a technology well known in the art. Voice input technology has been used systems ranging from medical devices, cellular phones, and software packages such as IBM via voice. It would have been obvious to one skilled in the art to incorporate a voice recognition controller and module so that electronic input commands can be given hands free.

Claims 10 and 18 are rejected on the grounds outlined in the rejection of claims 4.

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Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 4,959,645 to Blaz: Remote control display stand

US Patent 5,124,805 to Chung et al: Remote control display stand.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ming-Hun Liu whose telephone number is 703-305-8488. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Mancuso can be reached on 703-305-3885. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

Ming-Hun Liu

JOSEPH MANCUSO
PRIMARY EXAMINER